



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,031	03/06/2001	Richard C. Walker	10010493-1	4578
22878	7590	03/10/2004	EXAMINER	
AGILENT TECHNOLOGIES, INC. INTELLECTUAL PROPERTY ADMINISTRATION, LEGAL DEPT. P.O. BOX 7599 M/S DL429 LOVELAND, CO 80537-0599			KERVEROS, JAMES C	
		ART UNIT		PAPER NUMBER
		2133		7
DATE MAILED: 03/10/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/801,031

Applicant(s)

WALKER ET AL

Examiner

James C Kerveros

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 September 2002.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-34 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 06 March 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

<ol style="list-style-type: none"> 1)<input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2)<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3)<input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>4.5</u>. 	<ol style="list-style-type: none"> 4)<input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____. 5)<input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6)<input type="checkbox"/> Other: _____.
--	--

DETAILED ACTION

Specification

The abstract of the disclosure is objected to because the abstract exceeds 150 words. Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Kimmitt (US 6662332).

Regarding independent Claims 1-3, 11-13, 16-18, 19-21, 27-30 and 32-34, Kimmitt discloses a method and apparatus for detecting the location of burst errors or reducing the susceptibility to burst errors in serially transmitted data, FIGS. 1, 2 and 6, comprising:

A resettable scrambler (32, FIG. 2) that scrambles the input data by exclusive ORing the input data with a pseudo random binary sequence (PRBS). The exclusive OR (XOR) logic 64 receives as inputs, over the TXP bus, the extended data word comprising the received data word(s) and the ECC generated by the Error Code Logic 30 (FIG. 2).

A seed payload field (seed register 54, FIG. 3) using the presettable scrambler (32) to generate fields of a test sequence as an input to the framing signal generator 34, where FIG. 3 illustrates in more detailed the logic for the scrambler in FIG. 2.

Transmit logic (14, shown in greater detail in FIG. 2) for transmitting the fields of the test sequence and receive logic (16, shown in greater detail in FIG. 6) for receiving the corresponding test sequence fields, using serial data channel 24 having a transmit side upstream and a receive side downstream.

Descrambler 92 (FIG. 6) for descrambling the received test sequence fields using the presettable descrambler (92) to generate respective recovered test sequence fields.

Error check logic (94) for detecting the differences between the received test sequence fields and the seed payload field, as errors. The error check logic 94 provides an indication of an error in a data word or alternatively, generates a syndrome based

upon the received data word that may be employed to correct an error in a recovered data word if an error correction code is used.

Regarding Claims 4, 6-8, 10, 14 and 23-25, Kimmitt discloses a payload field (seed register 54, FIG. 3) using the presetable scrambler (32) to generate a desired bit pattern using a pseudo random binary sequence (PRBS), by applying 18 levels of recursion to the LFSR equations to produce the bus wide pseudo random binary sequence generator structure illustrated in FIG. 3, (see column 5, line 20-25).

Regarding Claims 5 and 22, Kimmitt discloses an idle payload field comprising an idle bit, which indicates when the transmitted character comprises an idle character. The idle bit reacquires the seed for use by the descrambler 92 (FIG. 6). The receive logic 16 detects when an Idle cell is being transmitted over the serial data channel 24. The scrambler seed is completely recovered in one idle period.

Regarding Claims 9, 15, 26 and 31, Kimmitt discloses a framing signal generator 34, which generates a framing signal that is used by receive logic 16 (FIG. 1) to achieve word alignment following receipt of the serially transmitted data stream over the serial channel 24 (FIG. 1). The framing signal comprise a parity bit, a predetermined number of bits having a specified known value or any other suitable signal that may be used by receive logic 16 to achieve word framing following transmission of the serial data stream over the serial data channel 24.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Muto et al. (US 5497377) discloses a communication system and method of detecting transmission faults including the claimed limitations of detecting the fault of a transmission circuit in a station in an idle state time by transmitting a fixed bit pattern during an idle state of transmission, where each station includes a fixed bit pattern generator for outputting a fixed bit pattern during the idle time and further wherein each station also has fault detection means for detecting a fault when it receives a signal other than transmission data and the fixed bit pattern. However, Muto is silent with respect to the claimed limitations of resettable scrambler and descrambler.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James C Kerveros whose telephone number is (703) 305-1081. The examiner can normally be reached on 9:00 AM TO 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decay can be reached on (703) 305-9595. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

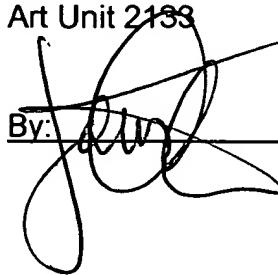
Art Unit: 2133

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

U.S. PATENT OFFICE
Examiner's Fax: (703) 746-4461
Email: james.kerveros@uspto.gov

Date: 3/1/04
Non-Final Rejection

James C Kerveros
Examiner
Art Unit 2133

By: 


ALBERT DECADY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100